

Appl. No. 09/632,774

Amendment Dated December 22, 2004

REMARKS

Claims 1, 7, 11, 15 and 21 have been amended, no claims have been canceled, and no new claims have been added. Claims 1-25 are therefore pending.

Double Patenting

The Final Office Action objects to Claim 8 as being a substantial duplicate of claim 1 under 37 CFR 1.75. Although this is a prospective objection that will not mature unless and until claims 1 and 8 are allowed in their present form, this objection is hereby addressed.

Claim 1 recites that a sponsorship object includes "a resource locator associated with a sponsorship label to be displayed and a resource locator associated with a click-through of the sponsorship label. In contrast, claim 7 recites that the sponsorship object only includes "a sponsorship object including a resource locator associated with a sponsorship label to be displayed."

That is, claim 1 recites that that sponsorship object includes two resource locators and claim 7 recites that the sponsorship object includes a single resource locator.

Because of its dependency on claim 7, claim 8 includes limitations which differ from the limitations recited in claim 1. Therefore, we request that the double patenting objection be withdrawn.

Claim Rejections - 35 USC § 102

The Final Office Action maintains the earlier rejection of claims 1-4, 7-18, 21, 24 and 25 under 35 USC § 102(e) as anticipated by Angles (US 5, 933,811). All of the independent claims have been amended. The amendments include limitations included in the specification which we thought would be read into the claims. Generally, the amendments recite that the client application is independent of an Internet browser and that the client window is independent of an Internet browser window. As the Examiner did not interpret the claims in view of the specification, the current amendments were made to add limitations recited in the specification.

We request that the Examiner reconsider Angles in view of the amended claims. Angles fails to teach a client application and browser application as recited in the claims and is instead focused on

Appl. No. 09/632,774

Amendment Dated December 22, 2004

the consumer browser module 40, a web browser. (Angles, Figs. 4 and 11; col. 8, line 45 - col. 8, line 19; col. 10, lines 43-59) Because Angles fails to teach each and everyone of the limitations recited in claims 1, 7, 11, 15 and 21, these claims, and all claims dependent thereon, are patentable over Angles.

Claim Rejections - 35 USC § 103

The Final Office Action rejects claims 5, 19, 22, 23 and under 35 USC § 103(a) unpatentable over Angles. Claims 5, 19, 22, 23 are ultimately dependent on claims 1, 15 and 21. Claims 1, 15 and 21 are discussed above regarding the 35 USC § 102 rejections. For the same reasons claims 1, 15 and 21 are patentable over Angles as set forth above, by virtue of their dependency on these claims, claims 5, 19, 22, 23 are not rendered obvious by and are patentable over Angles.

The Office Action rejects claims 6 and 20 under as being unpatentable over Angles and Filepp (US 5,347,632) Claims 6 and 20 are ultimately dependent on claims 1 and 15. Claims 1 and 15 are discussed above regarding the 35 USC § 102 rejections. For the same reasons claims 1 and 15 are patentable over Angles as set forth above, by virtue of their dependency on these claims, claims 6 and 20 are not rendered obvious by and are patentable over Angles. Filepp fails to cure the deficiencies of claims 1 and 15 discussed above. The combination of Angles and Filepp fails to teach or suggest the limitations recited in claims 6 and 20. As such, claims 6 and 20 are not rendered obvious by and are patentable over the combination of Angles and Filepp.

Appl. No. 09/632,774
Amendment Dated December 22, 2004

Conclusion

In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned attorney to answer any questions and to discuss steps necessary for placing the claims in condition for allowance.

Respectfully submitted,



Mark A. Goldstein
Reg. No. 50,759

Date: December 22, 2004

SoCal IP Law Group
310 N. Westlake Blvd., Suite 120
Westlake Village, CA 91362
Telephone: 805/230-1350 x24
Facsimile: 805/230-1355
mgoldstein@socalip.com